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Claim Rejections Under 35 USC § 102 and 103

On page 2 of the Office Action, the Examiner rejected Claims 1-4, 6-7, 9-10 under 35 USC §102(b) as being anticipated by Daly. On page 2 of the Office Action, the Examiner rejected Claims 5 and 8 USC §103 as being unpatentable over Daly. Daly is completely silent with respect to the mounting position of an electric motor and the heating of an electric motor in a throttle to melt an ice blockage. The Examiner has failed to explain how and why the claimed subject matter is rendered unpatentable over the prior art and point out where each of the specific limitations recited in the rejected claims is found in the prior art relied on. Daly does not teach or suggest the present invention.


If the Examiner relies on personal knowledge that mounting an operation of the electrical motor of the present invention is obvious in light of the cited art, Applicants respectfully request support for this assertion in the form of an affidavit that shall be subject to contradiction or explanation by the affidavits of the Applicant and other persons under 37 C.F.R. 1.104 (d)(2).

Conclusion

The entire Office Action dated September 7, 2004 has been carefully reviewed, and this response is submitted as being fully responsive thereto. In view of the preceding remarks, Applicants respectfully submit that Claims 1-10 are in condition for allowance and respectfully request such action at the Examiner's earliest convenience. If the Examiner believes that personal contact would be advantageous to the disposition of this case, he is requested to call the undersigned at his earliest convenience.

If for some reason a fee needs to be paid as well as one-month extension please charge Deposit Account No. 07-0960 for the fees, which may be due.

Respectfully submitted,


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